

**THE CORPORATION OF  
TOWNSHIP OF WHITEWATER REGION**

**BY-LAW NUMBER 06-08-249**

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**A By-Law authorizing the Township to enter into a Development Agreement with Mr. Delmer Lavallee**

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**WHEREAS** Delmer Lavallee is the owner of Part Lot 26 CON 4 EAST OF MUSKRAT LAKE, designated as Parts 5 – 26 on Reference Plan 49R-16075, TOWNSHIP OF WHITEWATER REGION.

**AND WHEREAS** Delmer Lavallee has applied to the County of Renfrew for consent approval(s) of residential lot(s) File Number(s) B7/05(A), B8/05(B), B33/03(1), B34/03(2) & B35/03(3) and such approval(s) dated the 25<sup>th</sup> day of July, 2005 have been granted subject to the execution and registration of a Development Agreement between the Owner and the Township be on title;

**AND WHEREAS** Section 53(12) of the Planning Act, R.S.O. 1990, c.P.13, affords council the same powers with respect to a consent as the approval authority has with respect to an approval of a plan of subdivision under Section 51 (25) of the Planning Act;

**AND WHEREAS** Section 51(26) of the Planning Act provides for the Municipality to enter into an Agreement as a condition of the approval of subdivision of a lot which Agreement may be registered on title and is enforceable by the Municipality against all subsequent purchases of the land;

**AND WHEREAS** Delmer Lavallee has asked the Council of the Corporation of the Township of Whitewater Region to enter into a Development Agreement;

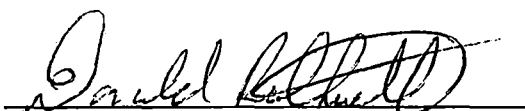
**NOW THEREFORE** the Council of the Corporation of the Township of Whitewater Region hereby ENACTS AS FOLLOWS:

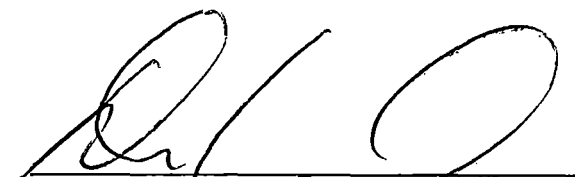
1. **THAT** The Corporation of the Township of Whitewater Region enter into a Development Agreement with Mr. Delmer Lavallee, which an agreement is attached and marked as Schedule "A" to this By-law.
2. **THAT** the Council of the Township of Whitewater Region hereby authorize the execution of the Development Agreement.
3. **THAT** the Mayor and CAO/Clerk be authorized to execute the said Development Agreement together with all documents relating thereto, and further, to make such other motions as may be necessary to complete this matter.

THIS BYLAW shall come into effect upon the passing thereof and subsequent registration at the Land Registry Office for the Registry Division for the County of Renfrew.

**This By-law given FIRST and SECOND reading this 2<sup>nd</sup> day of August, 2006**

**This By-law read a THIRD time and finally passed this 2<sup>nd</sup> day of August, 2006**

  
REEVE

  
CAO/CLERK

## DEVELOPMENT AGREEMENT

**BETWEEN:**

**THE CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION**

**“Hereinafter referred to as the Municipality of the First Part”**

**- AND -**

**DELMER LAVALLEE**

**“Hereinafter referred to as the Owner of the Second Part”**

WHEREAS Section 51(26) of the Ontario Planning Act provides for the Municipality to enter into an Agreement as a condition of the approval of the subdivision of a lot which Agreement may be registered on title and is enforceable by the Municipality against all subsequent purchases of the land.

AND WHEREAS consent has been granted pursuant to Section 53 of the Planning Act the Land Division Committee of the County of Renfrew which decision dated the 25<sup>th</sup> day of July 2005 provides for the registration of a Development Agreement with the Municipality as a condition of the granting of severance and which Agreement will be binding on all subsequent purchasers of the land.

**AND THEREFORE** in consideration the approval of the grant of subdivision by the Municipality and the terms and conditions hereinafter set out the Parties hereto agree as follows:

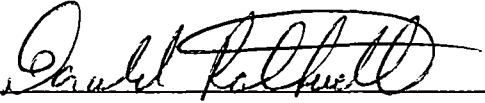
1. The Owner of Part of Lot <sup>85</sup> 16, Concession 4, East of Muskrat Lake, Designated as Parts 5 - 26 on Reference Plan 49R-16075 hereby agrees that the subject Lot is served by a private road which road is not maintained by the Municipality and for which the Municipality has no responsibility for maintenance or services. It is further understood that the Municipality does not plan to provide any road maintenance or services.
2. The Owner acknowledges that he is aware that because the subject land is accessed by a private road and is not provided with normal municipal services, and therefore he completely understands that normal municipal services will not be provided in the future to these lands.
3. The Owner further acknowledges and agrees that the Municipality is not obliged to provide a building permit with respect to the subject lot notwithstanding the fact that it has consented to granting a severance.
4. The Owner acknowledges and agrees that this Agreement will be binding on subsequent

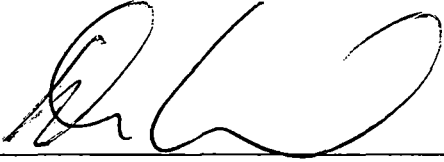
purchasers and may be used by the Municipality for the purposes of denying the provision of municipal services in the future if such services are requested by the Owner or subsequent owners of the subject land.

5. The Owner agrees that this Agreement will be binding on subsequent purchasers and further agrees to register the said Agreement on the title of the subject land and further agrees to notify any subsequent purchaser of the existence of said Agreement.


Dated at Cobden, Ontario this 20<sup>th</sup> day of July, 2006.

The Corporation of the Township of Whitewater Region

Per:   
Name: Donald Rathwell  
Title: Reeve

Per:   
Name: Dean Sauriol  
Title: Chief Administrative Officer

Dated at Pembroke, Ontario this 20<sup>th</sup> day of July, 2006.

  
Delmer Lavallee